

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F049739 In re Michael C. et al., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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The juvenile court is directed to vacate any pending section 366.26 hearing or, in the event the court has already conducted a section 366.26 hearing, any order made pursuant to section 366.26 placing Michael, William and Brad in a permanent placement. On remand, the court is directed to ensure that the department gives notice of the underlying proceedings in compliance with the ICWA to the BIA and any identified tribes. (25 U.S.C. 1912.) The court shall document its efforts to provide such notice by filing such documentation and any and all responses received with the trial court. (See In re H.A. (2002) 103 Cal.App.4th 1206, 214-1215.) If any tribe responds by confirming that the child is or may be eligible for membership within 60 days of sending proper notice under the ICWA to the BIA and any identified tribes (Cal. Rules of Court, rule 1439(f)(6)), the court shall proceed pursuant to the terms of the ICWA. If no tribe so responds, the court may reinstate its order setting the section 366.26 hearing or any placement orders made at a section 366.26 hearing already conducted.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050442 Wooster v. Conway

This court's order of July 19, 2006, dismissing the appeal is vacated and the appeal is reinstated.

F050329 Clark v. McKay, et al.

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8(a)(1), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F049166 In re Alex C., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F049310 In re Amber W., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.